

REMARKS

The Office Action dated April 4, 2007, has been carefully reviewed and the following amendments have been made in consequence thereof.

Claims 1-8 are pending in this application. Claims 1-8 stand rejected. Claims 9-20 have been canceled.

The rejection of Claims 1-8 under 35 U.S.C. § 102(e) as being anticipated by Salvo et al. (U.S. Patent No. 6,341,271) "Salvo" is respectfully traversed.

Applicants respectfully traverse the assertion on pages 3 and 4 of the Office Action that Salvo describes the claimed invention. Specifically, Applicants respectfully submit that the Office Action merely recites the language of Claim 1 in making the assertion that Salvo describes the claimed invention. More specifically, Applicants maintain that the Office Action has not pointed to any features and/or portions of Salvo that support the assertion that Salvo describes the claimed invention, and in particular, the Office Action has not identified which features of Salvo are considered to correspond to the specific elements recited in Claim 1. Further, Applicants submit that it is clear error to assert that Salvo anticipates the claimed invention without providing references to the features of Salvo considered to correspond to specific elements recited in Claim 1. As such, if the Examiner continues to rely on this reference to reject the claimed invention, Applicants respectfully request a detailed citation, including page and line number etc., identifying those specific portions of the reference being relied on in anticipating each specific element recited in the claims.

Salvo describes an inventory management system (100) that automatically monitors inventory amounts, provides information concerning inventory, and decides if an order for replacement inventory should be placed. The system (100) includes a monitoring arrangement (101) at a manufacturing site (103) including a processor (102) of inventory (150), a plurality of receptacles (104), a warehouse (113), and on-site vehicles. The inventory processor (102) forms a product from the inventory (150). Each of the receptacles (104) stores inventory (150) therein and includes an amount indicator (108) for monitoring and reporting the level of stored inventory (150). Other inventory storage areas, such as the warehouse (113) and the on-site vehicles, also monitor and report the level of inventory (150) stored within each respective storage area.

The manufacturing site (103) also includes a site controller (112) coupled in communication with the receptacles (104) and the other on-site inventory storage areas. The inventory receptacles (104) and on-site storage areas each send signals to the site controller (112) reporting the respective amounts of stored inventory (150). The site controller (112) is a solid state signal processor that receives the inventory amount signals from each receptacle (104) and storage area and forwards the signals to a control unit (114). The control unit (114) may be a computer coupled in communication with the site controller (112). Moreover, the control unit (114) is programmed to perform data acquisition, data mining, and analysis. The control unit (114) is coupled in communication using a network to an inventory price source (126), a shipping information source (116), a product financial information source (155), and a transportation advisory unit (125), each of which provides the control unit (114) with information. Notably, Salvo does not describe a database coupled in communication with a server, wherein the server is configured to prompt a user to enter business information relating to one of a turbine engine and a turbine engine component. Moreover, Salvo does not describe a server configured to store user inputs relating to one of the turbine engines and turbine engine components in the database.

Claim 1 recites a web-based supply chain system for improving business productivity, said system comprising “a database comprising historical business information relating to one of a turbine engine and a turbine engine component . . . a server coupled in communication with said database, said server comprising at least one business transactional application including a plurality of user interfaces associated with said at least one business transactional application, said server configured to prompt a user to enter business information relating to one of a turbine engine and a turbine engine component via at least one of said plurality of user interfaces, said server configured to store user inputs relating to one of the turbine engine and the turbine component in said database.”

The Office Action asserts on page 5 that “the Applicants’ functional language [is] attempting to describe what the claimed invention *does*, as opposed to describing what the claimed apparatus *is*....” (emphasis in original). However, “functional language does not, in and of itself, render a claim improper.” M.P.E.P. §2173.05(g). In fact, the use of language such as “configured to” and “adapted to” to recite a claimed invention is supported in case law. *See, Pac-Tec v. Amerace Corp.*, 903 F.2d 796, 801 (Fed. Cir. 1990); *In re Noll*, 191 USPQ 721 (C.C.P.A. 1976). Moreover, “a functional limitation must be evaluated and

considered, just like any other limitation of the claim, for what it fairly conveys to a person of ordinary skill in the pertinent art in the context in which it is used.” M.P.E.P. §2173.05(g).

Applicants respectfully submit that the claim language “prompt a user to enter business information relating to one of a turbine engine and a turbine engine component via at least one of said plurality of user interfaces, said server configured to store user inputs relating to one of the turbine engine and the turbine component in said database” describes the functionality that the server and database are configured to perform. Moreover, Applicants respectfully submit that this functional language describes a limitation that distinguishes the Applicants’ claimed invention from Salvo. Further, Applicants respectfully submit that Salvo does not describe a server that is configured to prompt a user to enter information relating to one of a turbine engine and a turbine engine component via at least one of a plurality of user interfaces, wherein the server is *configured to store user inputs relating to one of the turbine engine and the turbine components in the database*. Rather, Salvo describes a plurality of information sources that are connected to a control unit which merely provide the control unit with data for analysis. Accordingly, Applicants respectfully submit that it is clear error to assert that an information source that merely provides data to a control unit is analogous to a server that is configured to store user inputs relating to one of a turbine engine and turbine engine components in a database.

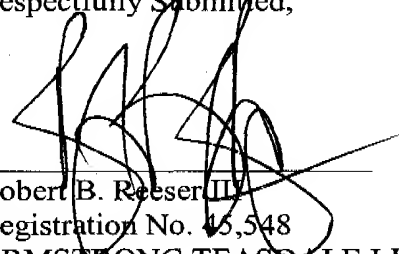
Applicants respectfully submit that Salvo does not describe nor suggest a web-based supply chain system, as is recited in Claim 1. Specifically, Salvo does not describe nor suggest a database coupled in communication with a server, wherein the server is configured to prompt a user to enter business information relating to one of the turbine engine and the turbine engine component, and store user inputs relating to one of a turbine engine and a turbine component in the database. Rather, in contrast to the present invention, Salvo merely describes a system for managing inventory that includes a solid state signal processor coupled to a control unit. Moreover, Salvo describes a plurality of information sources that merely provide the control unit with information. Accordingly, Claim 1 is submitted to be patentable over Salvo.

Claims 2-8 depend from independent Claim 1. When the recitations of Claims 2-8 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-8 likewise are patentable over Salvo.

For at least the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1-8 be withdrawn.

In view of the foregoing remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully requested.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'R. B. Reeser III', is written over a horizontal line. The signature is stylized with large, sweeping loops.

Robert B. Reeser III
Registration No. 45,548
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070